

VZCZCXRO4028
PP RUEHCHI RUEHDT RUEHHM
DE RUEHJA #2033/01 2080846
ZNY CCCCC ZZH
P 270846Z JUL 07
FM AMEMBASSY JAKARTA
TO RUEHC/SECSTATE WASHDC PRIORITY 5571
RUEKJCS/SECDEF WASHDC PRIORITY
RHHJJPI/USPACOM HONOLULU HI PRIORITY
RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY
INFO RUEHZS/ASSOCIATION OF SOUTHEAST ASIAN NATIONS
RUEHBY/AMEMBASSY CANBERRA 0941
RUEHWL/AMEMBASSY WELLINGTON 1618
RUEHBJ/AMEMBASSY BEIJING 4162
RUEHKO/AMEMBASSY TOKYO 0607
RUEHUL/AMEMBASSY SEOUL 4106
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RHEHNSC/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 03 JAKARTA 002033

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E.O. 12958: DECL: 07/29/2017
TAGS: [MARR](#) [PREL](#) [MOPS](#) [PHUM](#) [ID](#)
SUBJECT: BILATERAL DEFENSE DISCUSSIONS PROGRESS; HR VETTING
QUESTIONS RAISED

Classified By: Pol/C Joseph Legend Novak for reasons 1.4 (B)(D).

11. (C) SUMMARY: At the seventh U.S.-Indonesia Bilateral Defense Discussions (USIBDD) in Honolulu July 18-20, USPACOM and the Indonesian military (TNI) approved 132 military-to-military activities for FY2008, agreed on provision of U.S. GPOI assistance for the TNI's planned Peacekeeping Training Center, and finalized an Acquisitions and Cross-Servicing Arrangement (ACSA). Both delegations expressed satisfaction with progress over the past year and pledged continued cooperation. USDEL presented briefings on Global Hawk, on human rights vetting and on Humanitarian Civic Assistance (HCA). The Indonesian side briefed on the TNI budgetary process and on legal requirements for cooperation in humanitarian assistance and disaster relief (HADR). The TNI's attitude toward the BDD has steadily become more serious, indicating a maturing appreciation of the benefits of cooperation and a readiness to put the legacy of past U.S. military sanctions behind them. End Summary.

12. (U) The United States Pacific Command (USPACOM) and the National Defense Forces (TNI) of the Republic of the Indonesia held the seventh United States-Indonesia Bilateral Defense Discussions (USIBDD) in Honolulu on July 18-20, 2007. The talks were led by Major General Thomas Conant, Director for Strategic Planning and Policy at USPACOM J5 and by Major General Bambang Darmono, Assistant to the Chief of General Staff for Operations at TNI Headquarters.

POLICY STATEMENTS

13. (SBU) General Conant said the ongoing strengthening of U.S. bilateral and multilateral defense cooperation with Indonesia would provide common approaches to regional challenges and international security issues. He expressed confidence that U.S.-Indonesian bilateral security cooperation would continue to expand in the years to come, despite differences in policy positions in Washington and Jakarta.

14. (C) General Darmono said bilateral cooperation over the past year had advanced the U.S.-Indonesia security relationship and visibly improved the professionalism of TNI personnel. As two of the world's largest democracies and

sharing common democratic values, the United States and Indonesia had many security interests in common. The TNI valued USPACOM's assistance in relieving the victims of natural disasters in both Aceh and Yogyakarta and in searching for the missing commercial Adam Air plane. Indonesia remained sensitive to U.S. human rights vetting (HRV) but understood the need to cooperate in that process.

WORKING GROUPS

15. (U) Five working groups presented detailed recommendations for FY2008 activities in Intelligence Communication, Logistics, High Level Visitors, Education and Special Projects, and Training and Exercises. A total of 132 activities were approved. By area, this included 30 multilateral conferences, 27 bilateral exchanges, 13 bilateral exercises, 13 multilateral exercises, 8 GPOI training events, 3 Joint Combined Exercise Training and 21 high-level visits. In addition, eight events were scheduled for 2009.

AGREEMENTS

16. (U) Agreements reached during the discussions included a) a timeline to initiate instructor training, under the Global Peace Operations Initiative (GPOI), for a planned Indonesian Peacekeeping Center; b) a schedule for the Bilateral Intelligence Program (BIP); c) (subject to approval by TNI Commander in Chief (Panglima) Air Chief Marshal Suyanto) a formal request from Admiral Keating to co-host a CHODS conference in FY2008 and d) tentative dates for the MPC and USIBDD for FY2008. In addition, both sides agreed, after an Indonesian briefing on the TNI's budget cycle, to hold the

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next BDD up to half a year earlier, i.e., as early as February 2008.

BRIEFINGS

17. (U) A U.S. briefing on Global Hawk, an unmanned air surveillance system, described the capabilities of the system and a planned demonstration in the East Asia region, scheduled for May 2008. Indonesia was invited to participate in the demonstration.

18. (U) A U.S. briefing on Leahy human rights vetting explained the global nature of the requirement and its application to all security forces receiving U.S.-funded assistance, regardless of the location of the activity. It distinguished between DOD and DOS-funded programs, while emphasizing the similarity of the vetting requirements, and between the vetting of units and individuals. The Indonesian delegation asked whether the United States would consider a candidate's past human rights violations nullified once he had been prosecuted for those violations by Indonesian courts. U.S. delegation explained that Washington's guidance would be requested in such cases, but would also depend on the credibility of the evidence and the appropriateness of the sentence. U.S. delegation also clarified that U.S.-funded equipment would not be provided to suspect units. General Darmono pointed out that the TNI generally preferred to co-fund bilateral military activities held in Indonesia and that this was the reason the TNI sometimes canceled agreed activities rather than submit to HRV.

19. (U) An Indonesian briefing on the TNI's budget process described a longer 20-year (2004-23) planning cycle with individual five-year segments. The TNI's budget was submitted upward through the Department of Defense (DEPHAN) for review by DEPHAN, the Ministry of Finance and the National Planning Board (BAPENAS). The approved budget was then transmitted back through DEPHAN. The Indonesian fiscal was identical with the calendar year, and TNI planning for a future year normally occurred in the first half of the preceding year. However, because the U.S. fiscal year began

a quarter earlier, TNI planning for joint activities with the United States sometimes needed to begin earlier than normal. The U.S. delegation noted that at any given time three different U.S. fiscal years were in process: for instance, FY2007 was currently being executed, FY2008 was being programmed and FY2009 was being planned.

¶10. (U) An Indonesian briefing on humanitarian assistance and disaster relief (HADR) asserted that the TNI's ability to participate in military exercises involving HADR was limited.

Policy stipulated HADR activities must occur either as a non-war military operation or as a component of a non-HADR exercise, but could not occur as a stand-alone exercise. All exercises, including any HA/HCA components thereof, fell under the purview of the Assistant Chief of Staff for Operations (ASOPS), while HA/HCA operations fell under the purview of the Assistant Territorial Commander for the Chief of General Staff (ASTER), who, together with the Assistant Commander for Intelligence (ASINT), jointly determined the location of the operation. The Indonesian delegation asserted these limitations were based on Article 7 of the 2004 law (No. 34) on national defense, which provided for HADR activities as operations other than war. Because the law was silent on HADR exercises, the TNI had felt compelled, once it had realized this restriction existed, to cancel previously agreed HADR exercises. HADR exercises in the Malacca Strait represented an exception made possible because the waterway was shared by three littoral countries. Darmono explained separately that the Indonesian government viewed internal operations as something which could be preformed only by Indonesian forces, while exercises could involve unilateral, bilateral or multilateral participation.

¶11. (C) Note: USPACOM had requested this brief in the wake of the cancellation of HADR activities in connection with the visit of the USNS Mercy in July-August 2006. Subsequently,

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most scheduled HADR and Humanitarian Civic Assistance (HCA) events were postponed or cancelled. The argument provided by the Indonesian delegation, which interprets the mention of HADR operations as implicitly excluding non-operational HADR, is not convincing and could be a cover for other, perhaps political, considerations. It is clear that the Indonesians are extremely sensitive regarding foreign troops providing HA/HCA on the ground in Indonesia. We note that the enormous relief operations involving U.S. and other foreign forces in Aceh and Nias in the wake of the 2004 tsunami represents a major exception to this newfound rule.

¶12. (U) A reciprocal U.S. briefing on HADR noted it was U.S. policy to try to combine HADR exercises with other activities, such as ship visits and subject-matter exchanges (SME). The United States generally expected the host nation to decide the venue of HADR exercises. Humanitarian Civic Assistance (HCA), a related outreach which must be done in conjunction with exercises, involved the provision of materials by the U.S. military, while the work was out or performed jointly by both services. A Status of Forces Agreement (SOFA) would facilitate provision of HADR and HCA; in the absence of a SOFA, agreed rules of engagement (ROE) were necessary. Host nation consent would be obtained before inviting non-governmental organizations (NGOs) to participate in any such activities.

TNI: STEADILY MORE SERIOUS

¶13. (C) The number of events scheduled for FY2008 is somewhat less than the 154 events held in 2007. However, the scope and complexity of the FY08 events is generally higher. An example is the CHODS conference, which would be a major undertaking for the TNI and would involve extensive planning and support. At the same time, the TNI's attitude toward the BDD has become notably more serious over the years, indicating a maturing TNI appreciation of the professional benefits of cooperation and a readiness to put the legacy of

past U.S. military sanctions behind them.

¶14. (C) The Indonesian question regarding the HRV status of soldiers previously prosecuted for their human-rights violations has a number of possible implications but is a legitimate question in itself. Most important, it raises the issue of how individuals and units, and the TNI at large, rehabilitate themselves from past transgressions. Current HRV guidance does not address this issue. Confidence that meaningful Indonesian prosecution could effectively clear the HRV record could encourage the Indonesians to become more proactive in this area.

HUME